sof the Judge—Verdict of Convict Scenes in Court—Incidents, &c. From the Troy Whig, May 29] aturday afternoon, after the summing , Judge in Harris rose and delivered to

charge to the Jury.—The scene which during ek has occupied your attention with such interest, is at length drawing to a close. y, it is rare that the citizen, in the discharge duties which he owes to the government which he lives, is called upon to act under sibilities like those which devolve upon you. to once, perhaps, in the course of a man's at he is called upon to decide the fate, for life h, of a fellow being—when, in the impressive ge of the ceremony which initiated you our office as jurors, the life of a fellow our office as jurors, the life of a fellow our office as jurors, the life of a fellow of life itself. It is the highest power that imself the subject of mortality, can exerpassume this prerogative and declare the inselflow man forfeited. This fearful responsets upon you. When you entered that isace, you, each for himself, took a vow upon wes that you would render a true verdict act to the evidence, even though the effect of rdict should be to take the life of the accused, significantly our are most omeet; let it be so at a peaceful conscience may attend the recollections of this hour, and, whatever the fate of this unhappy woman, that you er possess the conscious assurance that the der which you live and from which we all protection, have been faithfully upheld and ally administered. With the policy or wisthe law which demands life as the penalty of neither you, as a jury, nor we, as a court, any anything to do. Were we sits legislators, it might become us to our opinion on this subject; but here, as we are, to administer the law, duty to take it as we find it. The responds taking human life is not upon us, but here, as we are, to administer the law, duty to take it as we find it. The responds taking human life is not upon us, but here, as we are, to administer the law, duty to take it as we find it. The responds taking human life is not upon us, but here, as we are, to administer the law, duty to take it as we find it. The responds taking human life is not upon us, but here, as we are, to admini

agan and Miss Lubee, to use the expressions and Miss Lubee, to use the expressions herself, that they should drink for. They at first declined, but being used length consented. She then proposed in make the beer more palatable, to put sugar in make the beer more palatable, to put sugar indirected Mrs. Lanagan to procured a grocery some fine white sugar in a same them went back to get the beer, leaving used and Miss Lubee in the room. When turned she found the accused walk-room with the saucer of sugar in her id she also says she observed that she held sumb and finger a small white paper folded. See were provided and the beer poured out as not enough to fill them. The accused in at they should be full. Mrs. Lanagan relo the grocery for more beer. When she is the accused was putting the sugar into less. They were filled, and Mrs. Lanagan a Lubee sat down at the table to drink agan says she observed upon the surface of a white soum, and thinking it might be thad fallen upon the surface of a white soum, and thinking it might be thad fallen upon the surface of a white standing on box in the store, she took a teaspoon to—that whilst in the act of doing so, the achowas standing by arrested her hand, and teaspoon from her, saying that was the tof it, and that it would do her good, noment Mrs. Lanagan was called to the by her husband. She remained there, husband came and he and Miss Lubee is beer. He died at seven o'clock the sing, and Miss Lubee died at four o'clock norning. This branch of the case depends pon the testimony of Mrs. Lanagan. From is of the case there could be no other evisited send experience of the month of the case depends pon the testimony of Mrs. Lanagan. From is of the case there could be no other evisited send experience and he and he and experience and he and he was a standing by a service of the case depends pon the testimony of Mrs. Lanagan.

of her conduct before and after is of no im-except as it reflects light upon her condi-e fatal hour when she committed the deed she is now before you to answer. It seems t the period in usualion the

he fatal hour when she committed the deed habe is now before you to answer. It seems ut the period incuestion the accused had very freely in the use of intoxicating drink, rom says that when she was at his store on yevening (which must have been the 21st of she was quite intoxicated. Mr. Brownell it when she came to his office in the early May, he thought her the worse for liquor. says she frequently purchased liquor at his ometimes taking it there, and sometimes home with her. Mrs. Lanagan says that, the morning of the 25th of May, she came rocery and procured a quart of beer, which home with her; and as deceased was living may be presumed that she applied it to her reonal use. At eight o'clock she sent old by to borrow \$2 of Mrs. Lanagan, and before he came herself. About eleven o'clock she again. It is not proved that she drank it she went into the room back of the grobere there were several men, and engaged, boisterous conversation. The fact that found in such a place, and in such commisses some ground for the belief that it then under the influence of liquor. Mrs. a says that perceiving the noise she went room and told her to go home; that it was for her to be there among such a set of tone o'clock she came again, and then the maximise some ground for the belief that it then under the influence of liquor. Mrs. a says that perceiving the noise she went room and told her to go home; that it was for her to be there among such a set of tone o'clock she came again, and asked for bouse, it is the theory of the prosecution that, hiled in procuring Mrs. Lanagan to come ouse. It is the theory of the prosecution that, hiled in procuring Mrs. Lanagan to drink the it was her object to get herover to her house, she might yet execute her purpose. But of corres, there is no proof. About 3 o'clock at the grocery again, and asked for beer, nagan says she told her she did not need declined to let her have it. The answer conduct of Mrs. Lanagan at this time indity strongly, I think, the condition in which at the time; or, at

SEAL DOUTSEAL, IT TREET.

**STATE OF CHARGE AND ADDRESS AND ADDRES

a young, artiess, imaginative girl, with whom she could at least talk. There was much, too, in the air and manner and romantic stories of the accused, to please the taste for romance which this young jirl seems to have possessed. She says ahe was pleased with her conversation, though she admits that her car was sometimes offended by expressions both of profamity and obsenity. How far the testimony of this girl tends to establish the defence, is for you to consider. It is upon this testimony, apported as it is, by some other kindred but least important evidence, that the counsel for the defence chiefly rely. The theory of the defence is, that the accused had become apprehensive that she was about to be abandoned by one who had been her friend and supporter, and that this apprehension operating on her nervous, excitable temperament, with the recollection of her own former position, from which she had so eadly fallen, had unhinged her mind, and that the eccentricities which marked her conduct about the period to which our inquiries relate, were but the outbursts of incipient madness. To sustain this theory, the testimony of Mr. Brownell was introduced, to whom, it seems, early in May, the accused had described her griefs and apprehensions. Thus far I have only noticed the testimony which relates to occurrences which happened before the arrest of the accused. What her conduct was afterwards is only important as it sheds light on her previous condition. Her conduct after she was committed to prison was indeed strange. How far this conduct was produced by the enormity of the charge preferred against her, and a sense of the condition in which she found herself—and how far by being suddenly been indulging so freely—or how far by disordered intellect—are questions which I suggest for your consideration. In this connection, too, it will be proper to consider the opinions of the two physicians who had the opportunities for observation which those who express the opinions have enjoyed, such opinions are allewed to be given

entrance.

The impenetrable veil that had thus far so effectually secluded her features, was still worn. She had the same aprightly manner that she had manifested throughout the trial. She took has seat and

She seated herself in a chair, and seemed absorbed in meditation.

The crowd, meanwhile, became more turbulent, and the officers had to frequently call to order. As usual, however, the crowd disregarded these calls, and continued to make ineffectual struggles to get a look at the prisoner.

All efforts were fruitless, as she successfully preserved her incognito by keeping her veil over her face.

The gallery at the west end of the room settled two inches, which at this time tended to increase the tumult, which was followed by the fainting of several females.

At 8 30 Judge Harris and his associate Justice entered the room.

the tumult, which was followed by the fainting of several females.

At 8 30 Judge Harris and his associate Justice entered the room.

Order was requested by Judge Harris, who hoped that all present would feel it incumbent on them to preserve the strictest order.

Mr. Beach, conneel for the prisoner, stated that after deliberate consultation, the counsel felt themselves bound to ask for a suspension of sentence, on these grounds:—

1st. The irregularity of the proceedings had before the Grand Jury.

2d. The voluminous testimony elicited on the trial had prevented a necessary and thorough investigation of it.

A deposition by Sheriff Price was then read and submitted.

Its purport was that the District Attorney had not, at the specified time, delivered to him the necessary precept provided for by statute; find further, that no precept whatever had been served upon him for the summoning of juross.

The Clerk of the county testified that no return of any such precept had been made to him.

Mr. B. referred to and read from the statute the authority directing the mode of organization and mode of conducting a special term of Oyer and Terminer.

It was argued in this case that the proceedings were at variance with the prescribed routine.

It was also argued, in support of the asked for suspension of sentence, that the Court had not been properly opened; that no proclamation had been made, &c. Another disparagement, it was claimed, existed in that the list of persons to be drawn as grand jurors had not been properly authorized; that the requirements of the law had not been lived up to, as it is necessary that jurors drawn for a grand ury shall have served as petit jurors. The counsel cited cases to establish his position.

The second claim for a suspension of sentence was, that the papers upon which the proceedings were transcribed, prior to the trial, had not the necessary seal of the County Clerk, whereby their identity could be proved. It was surfue claimed that the Sheriff of the courty should, and he is by law requ

quirements of the law had been lived up to by that officer.

Many precedents analogous to this case were cited in support of the motion. It was further claimed that the regular form of swearing each and every one of the jurors not having been compiled with, and as all had affirmed collectively, a suspension was asked on that ground. The counsel said further, that he had been informed that one of the jurors had publicly expressed the opinion, some days before the trial, that the prisoner ought to be hung.

Mr. District Attorney Bingham, in answer to prisoner's counsel, submitted that the cases cited by the counsel were not analogous. It was claimed that the presence which were had in this case were strictly legal, and that every essential requirement of the law had been made. The point's upon which prisoner's counsel relied, it was claimed, were but provisions made for the time and place of holding a court, and the necessary proceedings to be had in that event. It was also argued that the claims by prisoner's counsel were merely specifications providing for the holding of courts, and that they were

Motion granted without costs.

jections to defeat a claim under a policy, where a loss has been sustained.

Mction granted without costs.

Theatres and Exhibitions.

Broadway Theather—The romantic spectacle, in three acis, entitled "Faustus, or the Demon of the Drachenfels," is to be repeated this evening, Mr. Conway personating the character of Mephastopheles, Pope that of Faustus, and Mme. Ponisi the part of Adine. In the earnival seene, a grand ballet is introduced, in which Mile. Leeder. Mile. Price and Prof. B. Yates will execute the principal sances. The amusing farce of "Anthony and Cleopatra" is to be the commencing feature of the evening. The programme of amusement provided comprises a new drams, styled the "Bell Ringer of Boston," the comedy of the "Review," and the spectacle of "Salvator Rosa." To sentire strength of the company is included in the casts.

Namo's Garrer.—The Ravels and the admired Russian dar seuse, Mile Yrea Mathias, are to appear in the ballet pentomime of "Bella, he Faquerette," again this evening. The dances incidental to the piece will be executed by Miles. Hathias, Pranck, Julis and Flora Lehman, Morne. Marretti and Paul Brillant. The African ballet of "Jooko, or the Brazilian Ape," will dose the amusement, Marretti and Paul Brillant. The African ballet of "Jooko, or the Brazilian Ape," will dose the amusement, Marretti appearing as the Ape.

NATIONAL THRAKE.—The drama called the "Old Toll House." the extravagans of the "Fairy Light Guard;" and the nautical drama styled the "Mutiny of the Bounty, or the Monkey of Picairn Island," are the pieces selec'ed for representation this evening. Mr. Cony, Mr. E. F. Taylor, and Mr. Engens Cony, are to appear in conjunction with the regular company.

WALLACK'S THRAKE.—Manager Wallack announces a good bill for his patrons this evening. The first piece is the comedy of "A Eachelor of Arts," in which Lester, Byott Thompson, and Mrs. Stephens will appear. This will be followed by the farce of "Popping the Question," and the whole will terminate with the successful piece enti

with the "Bursages will give the burlesque open of "Sommambula" again to-night. These who desire comfortable seats should secure their tickets in the day time. The MARMOTH TEZZ—Which is said to be 3,000 years told, is on exhibition at 596 Broadway. While standing in its native region, it measured 235 feet in height, and 92 feet in directual erence. Fifty feet of the back, from the lower part of the trunk, has been pat in its natural form, and can be seen every day and evening at the above place.

DEATH OF A New Yorker.—We are informed by Captain McGill, of the steamer R. H. Winslow, that a passenger on that boat died on board Thuralay, the 18th inst. The deceased was named C. S. Tomlinson, and beleaged to New York city. He was apparently a goateman of wealth, and had been to New Orleans for the purchase of sugar. His corpse has been taken to Cincinnati. All necessary information can be had by addressing the agent of the boat, Mr. A. Irwin, Jun., at C. admanti.—Louisville Courier.

THE SLAVE EXCITEMENT IN BOSTON.

EXAMINATION OF THE FUGITIVE CONTINUED. THE MILITARY STILL UNDER ARMS.

Destruction of the Worcester Banner, &c., &c., &c.

The Union Guards were relieved youterday morning from their duty at the City Hall by the City Guards, Capt. French. Nothing worthy of note occurred during the forenoon, excepting the arrival of a band of some 200 to 300 men from Worcester, bearing a banner, on which was inscribed "Worcester Freedom Club." They proceeded to the Tremont Temple, and held a meeting in Meionaon Hall; Dr. Mitchell, of Worcester, presided, and addresses were made by Dr. Martin, of Worcester, Wm. Lioyd Garrison, S. S. Foster, and S. P. Hansoom. The latter stated that a writ of replevin, to take the fugitive Burns out of the custody of the United States Marshal, had been placed in the hands of one of the could obtain sufficient force to aid him. The speaker was evidently much excited, and called for volunteers to and the said coroner. A large number of the persons present signified their willingness by rising from their seats; but subsequently, when Mr. Hansom called upon them to "walk up to the rostrum and enrol their names." very few obeyed the call. Mr. Hansom also intimated that a select and secret committee was in secret seasion in an anterior, but declined giving the names of the committee, when publicly requested so to do. The meeting soon adjourned, without having effected its object.

At about five o'clock in the afternoon, as the "Worcester Freedom Club" were passing down Court street, the large silken banner borne at the head of its ranks was wrested from its bearer by officer Warren, at the order of the Mayor, who was desired by the Curt to check the procession from going about the Court House. It was afterwards torn to shreds in front of the Chief's office. The following were the inscriptions on the banner:

Worcester Freedom Club—Warm hearts and fearless souls—True to the Union and Constitution.

On the reverse—

Freedom, national liberty, equality, and fraternity. [Figure of the Goddess of Liberty.]

Two placards, which were also seized, bore the following inscriptions:—

Shall Freedom or Slavery triumph?

Tae' Mandal Sta

It is with extreme difficulty, in consequence of the guard of marines, that we yesterday succeeded in effecting an entrance into the Commissioner's Court, and obtaining a seat at the reporters' tables. The court room was crowded by those concerned in the trial, and others who had obtained admission on various pretexts. Rev. Theodore Parker, Elizar Wright, Robert Morris, the colored lawyer, and several other leading anti-slavery men, were present. The Commissioner came in at 11 o'clock, but the proceedings did not commence till half an hour later. Mr. Ellis, for the prisoner, said he felt bound to protest against proceeding in this case while the opposing counsel bore arms, and the prisoner was shackled or pinioned. Further, it is not fit, his honor being responsible for the order of things, that the counsel for the defence should be subjected to threats. He came to ask this man's discharge under the law, and would not consent to be insultingly reminded by such men, that he must remember there were laws and constitutions. In the main this room was packed by those having no sympathy with the unfortunate prisoner; he asked that the this room was packed by those having no sympathy with the unfortunate prisoner; he asked that the Court should give directions against this packing hereafter. Coming from the law library, he had been repulsed by armed men; it was not fit an immense body of armed men should block up the avenues to the temple of justice, and create a military display, which was creating riot. He asked, therefore, that his honor would give directions for the future, that this Court should be held where no such disturbance could occur.

The Court decided that the trial must proceed. Hon. B. F. Hallett, in a heated manner, said this military array had become necessary, in consequence of these riotous proceedings, instigated by the prisoner's and the gentleman's friends. The military should be here to preserve order.

The Court continually requested him to be seated, but he refused till he had finished what he was saying.

The Court continually requested him to be seated, but he refused till he had finished what he was saying.

Mr. Ellis said he wished to make another motion, because he id not intend that the representative of the United States should stand here and disobey the order of the Court, and he remain silent. On Saturday he heard a man say "these two are of the right sort, let them in." So we have here a disobedience to Court, and the avenues controlled by those who have prejudged the case.

The Commissioner said the trial would proceed.

Mr. Ellis objected, that there had been no act of qualification by his Honor as Commissioner, to which he replied that he was qualified 15 years ago.

Mr. Dana, for the defence, asked that the testimony be gone through again, and every thing taken from where it was left before, as the former proceedings were had while the prisoner had no counsel.

The Court decided that he must consider all that had been done before, as in, but the evidence might

ceedings were had while the prisoner had no counsel.

The Court decided that he must consider all that had been done before, as in, but the evidence might be repeated, to save embarrassing questions.

Mr. Parker then read the complaint, and recalled William Brent, merchant, of Virginia, who repeated his testimony of Thursday last, with some additions as follows:

When we have not full employment for our slaves we hire them out, and receive remuneration for them; I hired him for two or three years mysalf, and paid Col. Suttle for his use; he has been bired out since; I hired him out this year and last for Col. Suttle, as his agent; the wages went to Colonel Suttle; can't say I know where he was born; I have known him as Col. Suttle's slave a number of years. [The word "slave" was ruled out, it boing decided that the witness must contine himself to facts, and not draw inferences.] In March last he left Richmonal; the wages have not been paid; Col. Suttle was to receive them; have known him as sustaining a relation to Col. Suttle twelve or fifteen years; first knew of his letting Burns in the year before I hired him. [Loud cheers in the square outside.] Previous to his biring he was not big enough to do much of anything; he ran about; he was a boy—a big boy; aidn't know of any other boy about there; there were marks atout this Anthony Barna; a scar upon his check, and a cut upon his right hand; don't know of any other marks, except his general appearance; he was about six feet high; I was born within three miles of Col. Suttle; know him as long as I can recollect; known his family, mother and brother; was at his place at any and all times; hat saw Burns in Virginia, I think the Sunday previous to his being absent; I think it was the 19th or 20th of March previous; he was missing from there on the 24th of March last; didn't see him again till I came here; don't know how he left, only what he said hieself.

This was objected to by the defence, that the inquiry was for a statement supposeed to have been made by the p

'mony shall not be received in evidence."

hop of that this principle would govern. The cisimant's is dimeny was admitted, there being 'wo parties, and if the claimant can teatify for him off, it certainly she ald not be admitted that the prisons, the other party, could teatify only against h meelf. True, it was diffice it to apply the o dinary prisople of common law to a statute conceived in vi let on of those principles, but it must be as far as it may.

Mr. Thomas quoted the harms case in support of this testimony, and Mr. Dana soid if was not an authority, because the point had not been raised or contested.

The Commissioner said it was his present impression that the strict meaning of the statute would not exclude the confessions made by the prisoner, but he would reserve the point, and in the meantime the evidence could be taken, subject to rejection if he should so decide hereafter.

The witness then proceeded.

On going into his room the night of the arrest, Col. Suttle said: "Anthony, what are you doing, or how came you here?" Burns said an accident had happened to him—he was working down at Rockett's, on a shipping vessel—that he got tired, went to sleep, and was brought off on the vessel. Mr. Subtle then asked him if he had ever corrected or whipped him?

Mr. Ellis objected, as the claimants said they wished only to inquire as to the escape, and were now endeavoring to prove another point—that of the relative the admissions of the alloged slave on a cuestion of the alloged slave on a cuestion.

endeavoing to prove another point—that of the relation.

Mr. Dana expressed his belief that by Virginia law the admissions of the alleged slave on a question of status, is not admitted.

The Commissioner—Go on with the examination.

Witness continued—The first words were on going into the room: Burns said—"How do you do, Massa Charles?" then followed what I said; then Mr. Suttle said—"Anthony, did I ever whip you?" "No sir;" "Did I ever hire you where you didn't want to go!" "No, sir;" "When you wanted money did I ever refuse it to you?" "No, sir;" "When you wanted money did I ever refuse it to you?" "No, sir;" "When you was stek, didn't I take a bed out of my own house and nurse you?" "Yes, sir;" then he recognized me and said—"How do you do, Massa William?" that was all, exc. pt about the escape, which I have already told; there was something said about going back—the boy said the would be willing to go back; the mother of this boy lives on his extate; don't know of her, [ruled out]; don't know of other acts of ownership—Some discussion occurred whether the question at Colonel Suttle sclaiming to own Burns in Virginia was admissible. (Shouting outside.) The objection was that it would be only the inference of a willing witness as to a question of law.

The Commissioner decided the witness might state facts, as to whether Col. Suttle had ever said Burns was his slave; but the inference must be drawn by the Commissioner.

The year I hired Burns Col. Suttle had ever said Burns was his slave; but the inference must be drawn by the Commissioner.

Suttle material said the said then he woned several slaves, and Anthony Burns was one of them. When he wrote to me, at Richmond, to hir out his such cases. [The progress of the examination was contested inch by inch.] At one time it was necessary for Col. Suttle to make a pecuniary arrangement of his affairs, and he then claimed to own Burns; to go about with; when Burns came to Richmond he had a pass—so he told mo when he came to my long the form of the sound of the soun

versation.

Major Caleb Page sworn—Live in Somerville; am a teamster; remember fifteen minutes after Burns coming to the room, this man here (Suttle) came in; didn't distinctly hear what was first said; Mr. Suttle asked Mr. Burns in relation to his treatment before he left. (Witness corroborated Brent's testimony on that point.) Suttle asked Burns why he in Captain Snow's vessel; he said no; then Buttle asked what vessel he did come in, and I did not hear the answer. (Uproar in Court square.)

Cross-examined—Work in Milk street for various houses, with a team of my own; came there that night by order of one of the officers; think it was Mr. Butman's order; he came out and told me that I was the very man he wanted to assist in arresting a man; didn't help arrest the man; guess there were

a man; didn't help arrest the man; guessthere were five men in the room at the time; am still employed by them to stay there; don't know in what capacity; am employed by the Marshal; have not been em-ployed in such business before.

Mr. Parker here put in the record from the Virployed in such business before.

Mr. Parker here put in the record from the Virginia Courts. Mr. Dana said there were objections, but declined pressing them, as there was no

jury.

Mr. Parker said they considered this record as decisive, and said, with the exception of proving the marks of identity, their case would be closed.

The Commissioner said he had observed these

The Commissioner said he had observed these marks already.

Mr. Thomas put in also the code of Virginia, to which reference was made. Greenleaf's Evidence, and other authorities were also cited, relative to the authority of Courts, and also to show the existence of slavery in Virginia.

On the last point Mr. Dana objected that a book was not sufficient evidence of the fact.

Mr. Dana asked for two hours further time to prepare for the defence, and after some discussion, at ten minutes to 3 P. M., the Court took a recess of forty minutes.

min. Paus asked for two hours arranged time to prepare for the defence, and after some discussion, at ten minutes to 3 P. M., the Court took a recess of forty minutes.

Attenty minutes past four o'clock all the coursel, and others immediately concerned, having succeeded in passing the bayonets of the marines (some of whose faces were very red), Mr. Ellis was called upon to proceed with the defence.

Mr. Ellis said in justice to his client he must ask for a further postponement; this the Court refused to grant.

He then proceeded to make his opening ples for the defence. After thanking the Commissioner for the fairness and courtesy he had shown, he expressed his regret that he was so lily prepared to proceed with the defence. This was owing partly to the late hour at which he had learned of the testimony he should present, and partly to the guarda around the doors and passages, by which he had been delayed beyond the time to which the court had adjourned. But in spite of this short time, he would show they had a good defence to make, not withstanding the discourteous charge of the opposing counsel, when he asked for delay. He referred to the proposition for sale, as an attempt to obtain an admission that the prisoner was a slave. The friends of Burns did not come here to get this law over-ridden, although they hade it, they believed it unconstitutional and contrary to common law. As a rejoinder to the charges of the opposing counsel, when he saked for delay. He referred to the proposition for sale, as an attempt to bottain an admission that the prisoner was a slave. The friends of Burns did not come here to get this law over-ridden, although they hade it, they believed it unconstitutional and contrary to common law. As a rejoinder to the charges of the opposing counsel, be said that sooner than open his mouth in favor of such work as this, he hoped his hand might wither and his to ogen the fourth of the counsel on either side could refer, it was nofe than on the sum of the sum of the sum of the sum of the sum of

in Boston, and he intimated that the former decisions were made in a measure to "sustain the faith of treaties," but the treaties had now been violated, and now they have to rely upon past precedent—political precedent—to obtain the prisoner's surrecter. He believed he could show a defence that would set the prisoner free, but before doing so he chose to face those who came with pistols in their packets, and hold them up to merited reproduction. They were calling upon the Commissioner to aid in sending this man to a doorn worse than death; for